

Application No.: 09/992,124
Amendment and Response dated September 15, 2004
Reply to Office Action of July 20, 2004
Docket No.: P-5277 (102-410)
Page 3

REMARKS

The application has been amended to correct an inadvertent error. In particular, the drawings have been amended to include Figure 1. It is noted that all of the information in Figure 1 is described elsewhere in the specification. Figure 1 is a graphical representation of the information contained in Tables 1 and 2, as filed. Therefore, it does not constitute new matter. It is being submitted merely for the purpose of simplifying the data presentation.

Response to Restriction Requirement

The Examiner has required restriction under 35 U.S.C. §121 between one of the following which the Examiner has alleged as being patentably distinct species of the claimed invention: peptides which comprise the sequence (a) xxxkx, (b) xxkxx, (c) xxxk, (d) xkxxx, and (e) kxxxx.

Additionally, the Examiner indicates that claims 3, 4, 22-32, 34, 35, 38-41 and 45-47 are generic to a plurality of disclosed patentably distinct sequences comprising: SEQ ID NOS: 1-11 and 16-70, the combination of SEQ ID NOS: 12 and 13, and the combination of SEQ ID NOS: 14 and 15. The Examiner requires Applicants to elect a single sequence or one of the two sequence combinations.

Applicants elect to prosecute peptides which comprise the structure (d) xkxxx. Further, Applicants elect to prosecute the specific sequence comprising: HKNQT (SEQ ID NO: 34). Applicants reserve the right to pursue the non-elected subject matter in a continuation case.

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned agent at the telephone number given below.

Application No.: 09/992,124

Amendment and Response dated September 15, 2004

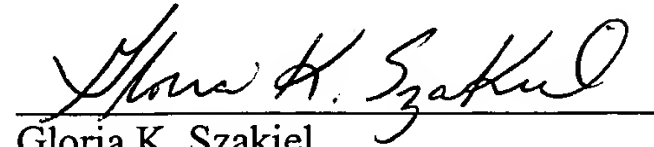
Reply to Office Action of July 20, 2004

Docket No.: P-5277 (102-410)

Page 4

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Gloria K. Szakiel", is written over a horizontal line.

Gloria K. Szakiel

Registration No.: 45,149

Agent for Applicants

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700

Application No.: 09/992,124

Amendment and Response dated September 15, 2004

Reply to Office Action of July 20, 2004

Docket No.: P-5277 (102-410)

Page 2

Amendments to the Drawings:

Please amend the drawings to include Figure 1, which is enclosed herewith.